

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION

ELIZABETH RODRIGUEZ,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
STAN PARKER, et al.,	)	
	)	
Defendants.	)	Civil Action No. 1:15-CV-181-C-BL

**ORDER**

In the Report and Recommendation filed April 8, 2016, the Magistrate Judge recommended that the Court grant Defendant Stan Parker's Motion to Dismiss, filed November 5, 2015. In the Report and Recommendation filed April 27, 2016, the Magistrate Judge recommended that the Court (1) grant Defendant Charlotte Stovall's Motion to Dismiss filed January 7, 2016; (2) deny her first Motion to Dismiss, filed November 6, 2015, as moot; and (3) deny Plaintiff Rodriguez's third request to amend her complaint.<sup>1</sup> No objections were filed.

After reviewing each Report and Recommendation for plain error, the Court finds that the findings and conclusions of the Magistrate Judge are correct and adopts them as the findings and conclusions of the Court.

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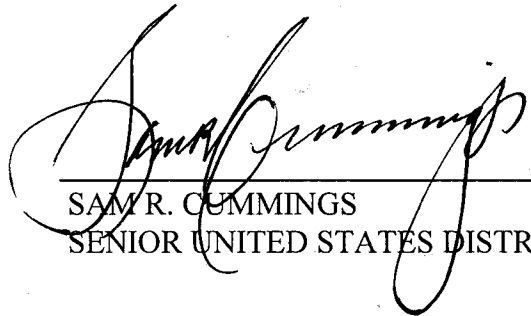
<sup>1</sup>Plaintiff's request to amend was contained in her response to the motion to dismiss. A party must either title a document as containing a motion to amend or file a separate motion requesting leave to amend. A cursory request for leave to amend made in passing in a response to a motion to dismiss will not suffice under Local Rules 5.1(c) and 15.1 of the United States District Court for the Northern District of Texas.

Accordingly, Defendant Stan Parker's Motion to Dismiss is **GRANTED**, Defendant Charlotte Stovall's Motion to Dismiss filed November 6, 2015, is **DENIED as moot**, and Defendant Charlotte Stovall's Motion to Dismiss filed January 7, 2016, is **GRANTED**. Plaintiff's claims against Defendants Stan Parker and Charlotte Stovall are **DISMISSED** with prejudice. Plaintiff's request to amend her pleadings a third time is **DENIED**.

The reassignment to the undersigned judge is terminated and this case remains assigned to Magistrate Judge E. Scott Frost pursuant to the Second Amended Special Order No. 3-301.

SO ORDERED.

Dated August 5, 2016.



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SAM R. CUMMINGS  
SENIOR UNITED STATES DISTRICT JUDGE